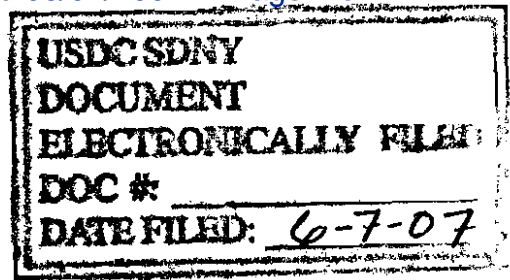


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X
SECURITIES AND EXCHANGE COMMISSION



Plaintiff,

07 Civ 3896 (PKC)

-against-

ORDER

EMPIRE DEVELOPMENT GROUP, LLC, et al.
Defendants.
-----X

P. KEVIN CASTEL, U.S.D.J.

I have the draft Order submitted on June 5 and the letter on behalf of defendant Empire Development Group, LLC.

1. Paragraph III implies that the preliminary injunction order is an overlay in addition to the temporary restraining order. It is not. The asset freeze should be set forth in the proposed preliminary injunction order with any new or different proposed provisions.

3. The SEC should set forth in the proposed order how the living expenses of the two natural person defendants are to be addressed. I expect the parties to confer on a workable solution.

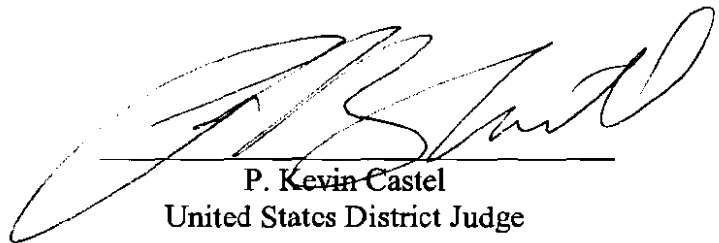
4. The language in paragraph IV reciting certain agreements should be redrafted to read as an order of the Court. Also the representations in paragraph IV do not belong in the decretal portion of the Order; either they should be moved to the preamble or deleted.

For the reasons stated in open court and on the record at the June 4, 2007, I have granted a preliminary injunction against all defendants in this action. Until further order of this Court, the temporary restraining order has been converted into a preliminary injunction and remains in place. The parties are to confer on revisions to the draft order (including the points raised in Mr. O'Brein's June 6 letter) and a revised proposed order should be submitted to the Court by the SEC by 5 p.m. June 11. Any objection shall be faxed to Chambers by 5 p.m. June 12.

Upon receipt of this Order, counsel for the SEC is directed to transmit it to each defendant.

SO ORDERED.

Dated: New York, New York
June 6, 2007



P. Kevin Castel
United States District Judge